

# Notice of Allowability

Application No.

09/530,934

Examiner

Khanh Tran

Applicant(s)

HUBER, KLAUS

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Amendment filed on 10/05/2004.
2. ☒ The allowed claim(s) is/are claims 29 and 32-56, which are renumbered as claims 1-26 respectively.
3. ☒ The drawings filed on 05 May 2000 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    - 1: ☒ Certified copies of the priority documents have been received.
    - 2: ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    - 3: ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

TESFALDE BOHNE  
PRIMAIRE EXAMINER

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1. The Amendment filed on 10/05/2004 has been entered. Claims 29 and 32-56 are pending in this Office action.

2. Claims 29 and 32-56 have been renumbered as claims 1-26.

### ***Response to Arguments***

2. Applicant's arguments, see pages 9 of the Amendment, filed 10/05/2004, with respect to claims 29 and 32-56 have been fully considered and are persuasive. The objection of claims 29 and 32-56 has been withdrawn after claims have been rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3. The rejection of claims 29 and 32-56 under 35 U.S.C 112 has been withdrawn after claims have been rewritten to overcome the rejection.

### ***Reasons for Allowances***

The following is an examiner's statement of reasons for allowance:

4. Regarding claim 29, claim is allowed over prior art of record because the claim has been rewritten in independent form to include allowable features "a temporary storage device including a control/processing unit, the temporary storage device being

capable of triggering the recoder to switch between at least two recoding tables so that there is no storage overflow" and "a second temporary storage device including a second control/processing unit disposed between the inverse recoder and the sink" and "a second data sink connected to the second temporary storage device". The closest cited prior art, Calderbank et al. (US 5,115,453), discloses a technique for designing a multidimensional signaling scheme, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

5. Regarding claim 32, claim is allowed over prior art of record because the claim has been rewritten in independent form to include allowable features "a temporary storage device capable of triggering the recoder to switch between at least two recoding tables so that there is no storage overflow" and "a second data source for providing the temporary storage with at least one of user data, synchronization data and check data". The closest cited prior art, Calderbank et al. (US 5,115,453), discloses a technique for designing a multidimensional signaling scheme, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

6. Regarding claim 44, claim is directed to a method for providing for data transmission using a multi-level modulation process. The claim is allowed over prior art of record because the claim includes allowable features "a temporary storage device includes a control/processing unit and is capable of triggering the recoder to switch between at least two recoding tables so that there is no storage overflow" and "a second

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temporary storage device includes a second control/processing unit disposed between the inverse recoder and the sink” and “a second data sink is coupled to the second temporary storage device”. The closest cited prior art, Calderbank et al. (US 5,115,453), discloses a technique for designing a multidimensional signaling scheme, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

7. Regarding claim 45, claim is directed to a method for providing for data transmission using a multi-level modulation process. The claim is allowed over prior art of record because the claim includes allowable features “a temporary storage device capable of triggering the recoder to switch between at least two recoding tables so that there is no storage overflow” and “a second data source provides the temporary storage with at least one of user data, synchronization data and check data”. The closest cited prior art, Calderbank et al. (US 5,115,453), discloses a technique for designing a multidimensional signaling scheme, either singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

**Conclusion**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Tran whose telephone number is 571-272-3007. The examiner can normally be reached on Monday - Friday from 08:00 AM - 05:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TESFALDIT BOGURE  
PRIMARY EXAMINER

